



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,660	03/19/2004	William Robert Pape	16527-US	1676
30689	7590	08/06/2008		
DEERE & COMPANY ONE JOHN DEERE PLACE MOLINE, IL 61265			EXAMINER ABDELSALAM, FATHI K	
			ART UNIT 4176	PAPER NUMBER
			MAIL DATE 08/06/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/805,660	Applicant(s) PAPE ET AL.	
	Examiner Fathi Abdelsalam	Art Unit 4176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040319 and 20041115</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. This action is a non-final, first office action on the merits in response to applicant's communication filed on 3/19/2004, wherein claims 1-28 are currently pending.

Information Disclosure Statement

2. The information disclosure statements (IDS) submitted on 3/19/2004 and 11/15/2004 are being considered by the examiner.

Priority

3. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in:

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international

application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-8 and 10-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Pickett et al. (US 6,691,135) (Hereinafter referred to as Pickett).

6. Regarding **Claim 1**:

Pickett discloses a method for managing an agricultural product, comprising:
storing a raw material in a storage container ([abstract], “a container and segregated storage bin for holding a particular crop”);

physically processing a stored raw material in a storage container to obtain a processed material based on the raw material ([Col. 1 lines 29-30], “a subsequent destination, such as a crop processor”) and see also (FIG. 16 is an example of the processing information);

recording link data for associating the raw material with the processed material across any transformation between the raw material and the processed material ([Col. 10, lines 59-65],

“The data storage device 332 stores or electronically records at least one of crop information, planting information, planting location data, growing information, harvesting information, harvesting location data, processing information chemical application information, and weather information

about the characteristics of a particular crop from a defined geographic area.”); and

providing a graphical user interface ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise at least one of a keypad, a keyboard, a pointing device (e.g., mouse), a switch, and a display.”) to facilitate at least one of entry, storage, retrieval, and data processing of the recorded link data for management of at least one of the raw material, the process material, and at least one storage container ([Col. 12, lines 59-65],

“The assignment module 340 accepts the data profile 338 from the arranger 336. The assignment module 340 obtains a storage identifier 344 for assignment to a corresponding data profile 338 for example, the reader 324 may read a storage identifier from a container tag 330 on a storage volume (e.g., container) holding a crop or agricultural product”).

7. Regarding **Claim 2**:

Pickett discloses the method according to claim 1 wherein the processing comprises blending the stored raw material with another material to obtain a target trait value of the blended, processed material (See Figure 16 Processing Information wherein target traits are defined) and (See also Figure 17).

8. Regarding **Claim 3**:

Pickett discloses the method according to claim 1 wherein the processing comprises blending multiple stored raw materials together in defined proportional quantities to form the processed material (See Figure 17 Collective Data Profile of a various mixture of ingredients or raw materials).

9. Regarding **Claim 4**:

Pickett discloses the method according to claim 1 wherein the processing comprises coordinating movements of raw material, processed material, and any derivatives of raw material and processed material among storage containers:

(FIG. 6 is a block diagram of a system for tracking a crop or an agricultural product. The system of FIG. 6 is similar to the systems of FIG. 4 and FIG. 5, except that system of FIG. 6 includes a processor data processing system 434 coupled to the data management system 350 via a communications network 348 (e.g., the Internet). See also ([Col. 32, lines 48-49], "The producer also forwards the container identifier to the network site 94 for tracking purposes.").

10. Regarding **Claim 5**:

Pickett discloses the above aforementioned method wherein the storage container is associated with a storage identifier ([Abstract],

“A storage identifier is associated with the arranged data profile for the particular crop. The storage identifier identifies at least one of a container and segregated storage bin for holding a particular crop for a tracked (e.g., an assigned) time duration.)

each raw material associated with the storage identifier having material attributes, the material attributes including one or more of the following: quantity of stored material, protein content, total weight, moisture, foreign matter, defects, color, material identifier, material variety identifier, blend identifier, and mixture identifier. ([Col. 27, lines 8-10], “The processor can use the information to plan and optimize the processing of the crop by knowing specific attributes of the crop in each container”). See also ([Col. 50, lines 34-41],

“Even after the data profile is formed in step S202, chemical application information, weather information, analyzed crop characteristic information, or other crop information may be appended to the data profile. The analyzed crop characteristic information may be obtained by conducting an analysis (e.g., a genetic test or protein profile) of the particular crop to identify or verify one or more characteristics of the particular crop”).

11. Regarding **Claim 6**:

Pickett discloses the method according to claim 1 wherein the providing comprises providing a graphical representation of a storage site associated with the at

least one storage container ([Col. 8, lines 7-12], “information may be stored in computer memory...displayed on a display”) and ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise...a display”) See also ([Col. 2, lines 41-45],

“The stored information is arranged to provide a data profile associated with a particular crop for a defined geographic area. A storage identifier is associated with the arranged data profile for the particular crop. The storage identifier identifies at least one of a container and segregated storage bin for holding a particular crop for a tracked (e.g., an assigned) time duration”).

12. Regarding **Claim 7**:

Pickett discloses the method according to claim 1 wherein providing comprises providing a graphical representation of a top view of a storage site associated with the at least one storage container;

each storage container have an associated storage identifier, each storage container associated with a status indicator, a content indicator, or both ([Abstract], “The storage identifier identifies at least one of a container and segregated storage bin for holding a particular crop for a tracked (e.g., an assigned) time duration”).

Furthermore, the nature of the particular type of view (i.e. top) of a storage site has been deemed merely intended usage of the claimed invention and therefore accorded little patentable weight.

13. Regarding **Claim 8**:

Pickett discloses the method according to claim 1 wherein the at least one storage container and associated information on any material therein is assessable to a defined access list of user identifiers ([Col. 7, lines 26-29], “the manufacturer data processing system 435 permit a user to enter information to edit, revise, add to, append, or otherwise write to the data profile stored in the data storage device 351”).

14. Regarding **Claim 10**:

Pickett discloses the method according to claim 1 wherein the processing step supports automatically naming receptions, blends, mixes, and transfers of any material to or from the storage container ([Col. 7, lines 26-29], “the manufacturer data processing system 435 permit a user to enter information to edit, revise, add to, append, or otherwise write to the data profile stored in the data storage device 351”).

15. Regarding **Claim 11**:

Pickett discloses a method for managing processing of an agricultural product, the method comprising:

receiving a raw material in a storage container ([abstract], “a container and segregated storage bin for holding a particular crop”);

processing the stored raw material in the storage container to obtain a processed material based on the raw material ([Col. 1 lines 29-30], “a subsequent destination, such

as a crop processor”) and see also (FIG. 16 is an example of the processing information);

recording link data for associating the raw material with the processed material across any transformation between the raw material and the processed material ([Col. 10, lines 59-65],

“The data storage device 332 stores or electronically records at least one of crop information, planting information, planting location data, growing information, harvesting information, harvesting location data, processing information chemical application information, and weather information about the characteristics of a particular crop from a defined geographic area.”); and

providing a graphical user interface ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise at least one of a keypad, a keyboard, a pointing device (e.g., mouse), a switch, and a display”) to facilitate at least one of entry, storage, retrieval, and data processing of the recorded link data for management of the storage containers ([Col. 12, lines 59-65],

“The assignment module 340 accepts the data profile 338 from the arranger 336. The assignment module 340 obtains a storage identifier 344 for assignment to a corresponding data profile 338 for example, the reader 324 may read a storage identifier from a container tag 330 on a storage volume (e.g., container) holding a crop or agricultural product”).

16. Regarding **Claim 12**:

Pickett discloses the method according to claim 11 further comprising the step of: shipping the processed material from the storage container to a destination location. ([Col. 1, lines 23-25], “transportation device and transported to a farm storage facility, local elevator, crop processor, or another destination”).

17. Regarding **Claim 13**:

Pickett discloses the method according to claim 11 wherein the processing comprises combining the raw material with one or more agricultural products, each agricultural product associated with an attribute value to impact a resultant attribute value of the processed material (See Figure 17 Collective Data Profile of a various mixture of ingredients or raw materials).

18. Regarding **Claim 14**:

Pickett discloses the method according to claim 11 wherein the processing comprises combining the raw material with one or more agricultural products, each agricultural product associated with a protein content, a moisture content, a damage parameter, and a foreign material parameter, such that the processed material complies with at least one of a target protein content, a target moisture content, a target damage parameter, and a target foreign material parameter. ([Col. 27, lines 8-10], “The processor can use the information to plan and optimize the processing of the crop by

knowing specific attributes of the crop in each container”). See also ([Col. 50, lines 34-41],

“Even after the data profile is formed in step S202, chemical application information, weather information, analyzed crop characteristic information, or other crop information may be appended to the data profile. The analyzed crop characteristic information may be obtained by conducting an analysis (e.g., a genetic test or protein profile) of the particular crop to identify or verify one or more characteristics of the particular crop.”)

19. Regarding **Claims 15 and 16**:

Pickett discloses the method according to claim 11 wherein the graphical user interface provides a graphical representation of one or more storage containers located at a location ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise at least one of a keypad, a keyboard, a pointing device (e.g., mouse), a switch, and a display.”);

each storage container associated with a content identifier for identifying contents of the respective storage container, a quantity for indicating the quantity of the contents of the respective storage container, and at least one attribute value of the respective contents of the storage container ([Col. 12, lines 59-65],

“The assignment module 340 accepts the data profile 338 from the arranger 336. The assignment module 340 obtains a storage identifier 344 for assignment to a corresponding data profile 338 for example, the reader

324 may read a storage identifier from a container tag 330 on a storage volume (e.g., container) holding a crop or agricultural product”).

and

wherein the content identifier provides a visual indication of an identity of the contents of a corresponding storage container ([Abstract],

“A storage identifier is associated with the arranged data profile for the particular crop. The storage identifier identifies at least one of a container and segregated storage bin for holding a particular crop for a tracked (e.g., an assigned) time duration).

20. Regarding **Claim 17**:

Pickett discloses the method according to claim 11 wherein the graphical user interface provides a graphical representation of one or more storage containers located at a location ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise at least one of a keypad, a keyboard, a pointing device (e.g., mouse), a switch, and a display.”);

each storage container associated with a content identifier for identifying contents of the respective storage container ([Col. 12, lines 59-65],

“The assignment module 340 accepts the data profile 338 from the arranger 336. The assignment module 340 obtains a storage identifier 344 for assignment to a corresponding data profile 338 for example, the reader

324 may read a storage identifier from a container tag 330 on a storage volume (e.g., container) holding a crop or agricultural product”);

a quantity for indicating the quantity of the contents of the respective storage container, a protein content of the respective contents of the storage container, a moisture content of the respective contents of the storage container, damage indicator of the respective contents of the storage container ([Col. 20, lines 20-22], “[a]lso included are the yield, the crop condition, i.e. moisture and damage, and various combine machine settings”), foreign material content of the respective contents of the storage container, and the total weight of the contents of the storage container. See also ([Col. 50, lines 34-41],

“Even after the data profile is formed in step S202, chemical application information, weather information, analyzed crop characteristic information, or other crop information may be appended to the data profile. The analyzed crop characteristic information may be obtained by conducting an analysis (e.g., a genetic test or protein profile) of the particular crop to identify or verify one or more characteristics of the particular crop”).

21. Regarding **Claim 18**:

Pickett discloses the method according to claim 11 further comprising keeping an event history for a corresponding storage container, the event history comprising an operation, a temporal indicator, operator identifier ([Col. 7, lines 43-44], “user may need

to enter a password and a log-in identifier”), and comments ([Col. 32, lines 48-49], “The producer also forwards the container identifier to the network site 94 for tracking purposes”). Tracking herein comprises the historical movement and processing of the agricultural material.

22. Regarding **Claim 19**:

Pickett discloses the method according to claim 11 further comprising keeping an event history for a corresponding storage container, the event history containing an operation selected from the group consisting of aeration of at least one of the materials, inbound receipt of at least one of the materials, outbound shipment of at least one of the materials, rotating contents of the storage container, and cleaning the storage container ([Col. 8, lines 7-12],

“The data manager 603 may authorize transmission of the received data profile and the corresponding storage identifier for arrival at the data management system 350 for availability to the purchaser, processor, manufacturer or other subscriber prior to or simultaneous with the subscriber's receipt of the crop agricultural product”).

23. Regarding **Claim 20**:

Pickett discloses the method according to claim 11 wherein the processing comprises combining the raw material with a first attribute value with another material

with a second attribute value to obtain a processed material with a resultant attribute value that has an intermediate value between the first attribute value and the second attribute value ([Col. 6, lines 9-14],

“can obtain an agricultural product with verification and/or a high degree of confidence that a desired differentiated attribute is present.”).

24. Regarding **Claim 21**:

Pickett discloses the method according to claim 20 wherein the attribute value is selected from the group consisting of a protein content, moisture content, damage parameter, and a foreign material content. ([Col. 50, lines 34-41],

“Even after the data profile is formed in step S202, chemical application information, weather information, analyzed crop characteristic information, or other crop information may be appended to the data profile. The analyzed crop characteristic information may be obtained by conducting an analysis (e.g., a genetic test or protein profile) of the particular crop to identify or verify one or more characteristics of the particular crop”). See also (Figure 14 Harvest Information)

25. Regarding **Claim 22**:

Claim 22 recites: the method according to claim 11 wherein the processing comprises milling grain as the raw material and wherein the processed material comprises flour.

The nature of the particular type of grain or agricultural crop to be milled and processed has been deemed merely intended usage of the claimed invention and therefore accorded little patentable weight.

26. Regarding **Claim 23**:

Pickett discloses the method according to claim 11 wherein the processing comprises combining a raw material as the grain with one or more additional constituent materials to obtain flour with a desired target attribute value as the processed material.

([Col. 6, lines 9-14],

“can obtain an agricultural product with verification and/or a high degree of confidence that a desired differentiated attribute is present.”).

27. Regarding **Claim 24**:

Pickett discloses a system for managing the processing of an agricultural product, the system comprising:

a transaction manager for storing data on physically processing stored raw material in a storage container to obtain a processed material based on the raw material

([Col. 1 lines 29-30], “a subsequent destination, such as a crop processor”) and see also (FIG. 16 is an example of the processing information);

a data storage manager for recording link data for associating the raw material with the processed material across any transformation between the raw material and the processed material ([Col. 10, lines 59-65],

“The data storage device 332 stores or electronically records at least one of crop information, planting information, planting location data, growing information, harvesting information, harvesting location data, processing information chemical application information, and weather information about the characteristics of a particular crop from a defined geographic area.”); and

a graphical user interface ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise at least one of a keypad, a keyboard, a pointing device (e.g., mouse), a switch, and a display”) to facilitate at least one of entry, storage, retrieval, and data processing of the recorded link data for management of at least one of the materials and the storage container ([Col. 12, lines 59-65],

“The assignment module 340 accepts the data profile 338 from the arranger 336. The assignment module 340 obtains a storage identifier 344 for assignment to a corresponding data profile 338 for example, the reader 324 may read a storage identifier from a container tag 330 on a storage volume (e.g., container) holding a crop or agricultural product”).

28. Regarding **Claim 25**:

Pickett discloses the system according to claim 24 further comprising a definer for defining a graphical bin representation that represents one or more storage containers and contents thereof, the contents of each storage container being associated with corresponding attribute values ([Abstract],

“A storage identifier is associated with the arranged data profile for the particular crop. The storage identifier identifies at least one of a container and segregated storage bin for holding a particular crop for a tracked (e.g., an assigned) time duration).

29. Regarding **Claim 26**:

Pickett discloses the system according to claim 24 wherein the transaction manager further comprises:

a receiving module for supporting an inbound receipt of an agricultural product for one or more storage containers ([Col. 8, lines 7-12],

“The data manager 603 may authorize transmission of the received data profile and the corresponding storage identifier for arrival at the data management system 350 for availability to the purchaser, processor, manufacturer or other subscriber prior to or simultaneous with the subscriber's receipt of the crop agricultural product”),

a processing module for monitoring the processing of the agricultural product and any transfers between storage containers, and a shipping module for supporting an outbound shipment of the agricultural product

(FIG. 6 is a block diagram of a system for tracking a crop or an agricultural product. The system of FIG. 6 is similar to the systems of FIG. 4 and FIG. 5, except that system of FIG. 6 includes a processor data processing system 434 coupled to the data management system 350 via a communications network 348 (e.g., the Internet). See also ([Col. 32, lines 48-49], "The producer also forwards the container identifier to the network site 94 for tracking purposes.").

30. Regarding **Claim 27**:

Pickett discloses the system according to claim 24 wherein the graphical user interface provides screens for defining a storage system for receiving, storing, processing, shipping an agricultural product, and managing an inventory of the agricultural product ([Col. 8, lines 7-12], "information may be stored in computer memory...displayed on a display").

31. Regarding **Claim 28**:

Pickett discloses the system according to claim 24 further comprising:

a data processing system for supporting the transaction manager and the data storage manager (FIG. 6 is a block diagram of an illustrative example of a processor data processing system associated with a system for tracing an agricultural product.);

a first remote station comprising a quantity detector for detecting a first quantity of a first agricultural product stored in a corresponding first storage container and an attribute measurer for measuring an attribute of the first agricultural product; a second remote station comprising a quantity detector for detecting a second quantity of a second agricultural product stored in a corresponding second storage container and an attribute measurer for measuring an attribute of the second agricultural product ([Col. 10, lines 44-48],

“During or after harvesting operations, a container identification device 424 (e.g., optical, radio frequency, or electromagnetic detector or reader) supports identification of storage volumes (e.g., containers) to distinguish one storage volume”); and

a central station for receiving at least one of the first quantity, the second quantity, the first attribute, the second attribute, and the central station in communication with the data processing system

(“FIG. 1 is a block diagram of a system for tracing an agricultural product or crop. The system comprises a grower data processing system (310 or

410) that collects crop data (e.g., a data profile or production information) and facilitates transfer of the crop data to a data management system 350. The data management system 350 supports communications with any of the following: the data storage device 351, a subscriber terminal 352, a processor terminal, a manufacturer terminal, a retailer terminal, and a consumer terminal”).

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pickett et al. (US 6,691,135) (Hereinafter referred to as Pickett).

34. Regarding **Claim 9**:

Pickett discloses a method for managing an agricultural product, as applied above in the rejection of claim 1 under 35 U.S.C. 102(e), but Pickett does not expressly disclose that the method comprises providing a user with a software drawing tool to

form a map, schematic representation or other diagram of a storage site and various storage containers at the storage site.

Picket teaches a computer-based agricultural processing system, wherein a user may utilize a graphical user interface connected to a computer ([Col. 12, lines 3-5], “[t]he user interface 316 may comprise at least one of a keypad, a keyboard, a pointing device (e.g., mouse), a switch, and a display”). Providing a user with a software drawing tool to form a map, schematic representation or other diagram is a well-known way for users to draw, such as the commonly used Microsoft Paint application and software tool found on many business and home computers, and official notice to that effect is hereby taken.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to provide such drawing tool software with the system of Picket, as is well known to do, in order to conveniently allow the user to input the information, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Conclusion

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fathi Abdelsalam whose telephone number is (571) 270-3517. The examiner can normally be reached on Monday to Thursday 8:00-5:00pm ET.

37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

38. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or (571) 272-1000.

/F. A./
Examiner, Art Unit 4176
August 4, 2008

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 4176